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SUBJECT: Ethiopia: Information on Child Labor and Forced Labor

REF: 09 STATE 131995

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Per reftel request, Post has compiled the following information on child labor and forced labor in Ethiopia. Information provided is keyed to reftel subject areas. Where not specifically noted, source information is provided at the end of this cable. For further information, please contact Political-Economic Officer Skye Justice at JusticeSS@state.gov or IVG 750-4111.

OVERVIEW OF THE LABOR SECTOR IN ETHIOPIA

-- Child labor in the production of goods is a poorly documented but serious Qy|C@1tton), weaving, and small scale gold mining. Information on child and forced labor is disorganized, and both the Government of Ethiopia (GoE) and non-governmental (NGO) sources had difficulty producing hard data in the form of raw numbers or statistics. Both NGO and GoE sources concluded that goods produced (in the agricultural sector and weaving industry in particular) via child or forced labor are largely intended for domestic consumption, and not slated for export. The major exception to this is coffee production, where child labor is commonly used by family farms that grow and harvest coffee (child labor does not appear to be used in the further processing or packaging of coffee for export). Non-scientific sample surveys conducted principally by academics and NGOs highlight that laborers in agricultural and weaving workplaces -- particularly women and children -- often face physical, sexual and emotional abuse, near-starvation, and debt bondage at the hands of their employers.

-- A 2005 labor force survey conducted by the GoE's Central Statistical Agency (CSA) -- the most recent survey conducted by that agency -- indicated that 80.2% of the country's employment activity is agrarian-based, followed by crafts, 7%, wholesale and retail trade 5%, and manufacturing, 5%. Nearly 57% of those employed are adults aged 20 and above, while the remaining 43% are children and young adults between the ages of 10 and 19. Approximately 58.1% of boys and 41.6% of girls ages 5 to 14 are working. The majority of working children were found in the agricultural sector (95.2%), largely on small-holder family farms, followed by services (3.4%) and manufacturing (1.3%). The survey substantiated that 40% of children start working before the age of 6, with children ages 5 to 17 averaging 32.8 hours of work for 5 to 7 day work weeks. Approximately 13% of boys and girls surveyed between the ages of 5 and 9 worked from 58 to 74 hours a week. Most children working in commercial settings do not have designated lunch or bathroom breaks. They often eat at their work stations and are fed (with meals provided by their employers) a once daily thin corn meal porridge

laced with very small vegetable portions. More generous employers may provide workers with one or two pieces of hard bread or injera (the national dish, a pancake-like bread made out of teff flour) per day as a snack.

-- A 2001 ILO-funded study concluded that compared to non-working children, child workers faced twice as much physical and emotional abuse, five times as much sexual abuse and eight times as much neglect as did non-working children.

-- The number of children working in agriculture and small scale mining is particularly high in the Amhara, Oromiya, Beninshangul-Gumuz, Southern Nations, Nationalities and Peoples (SNNP) and Tigray regions. Children in rural areas engage in activities such as coffee, tea, cotton, and sugarcane production and picking. Children in urban areas work in the manufacturing of clothes, shoes, textiles, and weaving by-products (typically clothing). Per the ILO study, 90% of working children in manufacturing sectors do not have access to protective gear.

-- Ethiopia is a significant source country for men, women, and children trafficked internationally, as well as internally, for the purposes of forced labor and sexual exploitation. Rural Ethiopian women and children are trafficked internally to Addis Ababa and other urban centers for domestic servitude and, to a lesser extent, for commercial sexual exploitation and forced labor, such as in street vending, traditional weaving, and manufacturing.

-- Ethiopian law provides for a 48 hour work week (with a 24 hour rest period), premium pay for overtime, and prohibition of excessive or compulsory overtime. The government, industry, and unions

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negotiate to set occupational health and safety standards. However, the inspection unit of the Ministry of Labor and Social Affairs (MoLSA) does not have sufficient capacity or resources to routinely enforce these standards, particularly in rural areas. A lack of detailed, sector-specific health and safety guidelines also inhibits enforcement. In theory, workers have the right to remove themselves from dangerous situations without jeopardizing their employment. In practice, most workers would fear losing their jobs by doing so.

-- Ethiopia's Labor Proclamation 377/2003, articles 89/2 and 89/3, prohibits children below the age of 14 from working, an age consistent with primary school educational requirements. Special provisions cover children between the ages of 15 and 18, including the prohibition of hazardous or night work. Article 176 of Ethiopia's Criminal Code identifies minors as age 15 or younger, identifying age 18 as the age of legal majority. By law, children between the ages of 14 and 18 years are not permitted to work more than 7 hours per day, work between the hours of 10 p.m. and 6 a.m., work on public holidays or rest days, or perform overtime work. The GoE defines hazardous work as work in factories or involving machinery with moving parts, or any work that could jeopardize a child's health. Children in the 15-18 year old age bracket are legally allowed to work so long as it is not hazardous to their health or developmental progress. Children are legally prohibited from working in the following goods-production related sectors: work carried out on dockside and in warehouses involving heavy weight lifting; pulling or pushing of heavy items; work connected with electric power generation plants, transformers or transmission lines; underground work such as in mines and quarries; grinding, cutting and welding of metals; work involving electrical machines to cut, split or shape wood, etc.; felling timber; and work that involves mixing of chemicals and elements which are known to be harmful and hazardous to health. Article 36 of Ethiopia's constitution states that children have the right to be protected against exploitive practices and work conditions and should not engage in employment that could threaten their health, education, or well-being.

-- The Ethiopian Penal Code outlaws work specified as hazardous by ILO conventions. Under the Ethiopian constitution, the hazardous occupations listed by ILO Conventions are automatically applied within Ethiopia.

Ethiopia has ratified all eight core ILO conventions. Ethiopia

ratified ILO's Convention No. 105 on the Abolition of Forced Labor in 1999 and ILO Convention No. 182 on the Worst forms of Child Labor in 2003. Per NGO reports, prior to Ethiopia's ratification of the ILO and UN labor conventions, openly observable instances of forced labor in the production of goods was possible. Articles 596, 597 and 599 of the Ethiopian penal code should be of note to fair labor advocates:

-- Article 596 (enslavement) criminalizes any attempt to enslave, sell, alienate, buy, trade or exploit another person.

-- Article 597 (trafficking in women and children) criminalizes the recruitment, transportation, harboring, import, or export of women or minors for the purpose of forced labor.

-- Article 599 (participation of illegal associations and juridical Persons) criminalizes any group or organization's participation in slave trade.

RECENT GOE INITIATIVES

-- National Action Plan on Child Labor

In 2009, MoLSA revamped its child labor task force and related initiatives to coordinate inter-ministerial efforts to combat child labor. For example, over the past year, MoLSA drafted a National Action Plan on Child Labor laying out both national policy and responsibilities among MoLSA, the ministries of Education, Health, and Women's and Children's Affairs. The plan covers a five-year period from 2010-2015, and will be accompanied by a "Protocol and Guideline," drafted in coordination with the ILO Ethiopia Office, that directs implementation of new child labor identification, withdrawal, reintegration, and education policies by all concerned government agencies. MoLSA, ILO, and a consortium of NGOs carried out a pilot test of these procedures, identifying 800 children involved in the worst forms of child labor, and successfully removed 300 of these children. MoLSA anticipates that both the plan and the protocol will be formally issued in the near future, and that a new public awareness campaign will accompany their release.

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-- Child Labor Surveys

MoLSA and Save the Children - Finland completed a pilot survey on child labor and exploitation in seven towns in January 2010. Results will be released in the near future, and MoLSA is preparing a more comprehensive survey based on the same methodology. The Central Statistical Agency, which conducted its last detailed survey on child labor in 2001 and last survey addressing child labor in 2005, conducted a comprehensive survey of child labor in late 2009. Results are expected by April 2010.

-- Emphasis on School Attendance

ILO reports that since 2008, the GoE's efforts to increase primary school attendance and improve child health have had a positive impact on decreasing the incidence of child labor in Ethiopia. ILO is eagerly awaiting the results of the CSA survey to confirm or deny this impression.

INFORMATION ORGANIZED BY GOODS: THE AGRICULTURAL SECTOR, WEAVING INDUSTRY, SMALL SCALE MINING, AND CHILD SOLDIERS

-- Agricultural sector

Children commonly work on coffee, tea, cotton, and sugarcane farms. Children working on farms work long hours for little pay, are often exposed to environmental toxins that can be detrimental to their health, and are at a higher risk of malaria, yellow fever and snakebites. Child labor is most common in small scale, family-owned farms, and is particularly prevalent during harvest seasons. Child labor is less common in factories processing agricultural products, where labor laws and regulations are more closely monitored and enforced. Child labor is less common on flower and specialty vegetable farms, which have expanded rapidly and produce cash crops for export, where MoLSA conducts labor inspections with greater regularity.

-- Child Labor in Ethiopia's Weaving Industry

In Ethiopia, traditional weaving is performed primarily by several

ethnic groups originating in the Gamo Gofa highlands, a zone approximately 400 kilometers south of the capital of Addis Ababa. For more than 100 years, these groups have migrated to the capital to meet its demand for woven goods. This home-based industry is male-dominated and constitutes a significant share of Ethiopia's vast informal sector. Although the number of children working in Ethiopia's weaving industry is unknown, available information indicates that children constitute a significant portion of the industry's workforce. On average, three children, some of whom are the children of adult weavers, work together.

Fifty-nine percent of adult weavers employed children other than their own. Weavers returning to rural zones act as traders and recruit children to work in Addis Ababa. Gamo children are persuaded to move to Addis Ababa with promises that they will learn income-generating skills, get an education and better their lives. Parents are reportedly lured into the arrangement through the promise of receiving money at holiday times and having one less mouth to feed.

The factors that force children into the weaving industry are complex and include poverty, absence of education, population growth, and urbanization. Just over 64% of children in a recent study reported that they joined the workforce to assist their parents who lived either in Gamo or Addis Ababa, nearly 25% stated that they expected to gain a skill, and the remainder said that they did so for survival purposes. Adult weavers reportedly utilize child labor because they are too poor to hire adult employees.

-- Type of Work Performed and Working Conditions

Like adults, children employed in the weaving industry operate a pit loom, a traditional technology made of wood. Half of those interviewed reported that they easily operated the equipment. Younger children ages 5 to 8 are usually involved in spinning cotton. Child weavers live and work in cramped conditions. The majority of child weavers work alongside two other children using two pit looms in one room that doubled as a living and working place. Child weavers work extremely long hours. Ninety-five percent of the children work more than eight hours a day, with 40% working 13-15 hours per day and 29% working 16-18 hours per day. Roughly 69% of the children work six days per week. All told, child weavers toiled an average of 78 hours per week. The majority of children (57%) start working between the ages of 9 and 12. 59% of respondents in a recent study reported working for two to three

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years, and 27% had been working four or more years. Ninety-nine percent of child weavers stated that they had one day off per week. Seventy-one percent reported taking breaks during the workday.

-- Compensation and benefits

Eighty-three percent of child study participants reported being paid. However, gender differences were apparent as only 60% of girls as compared to 84% of male respondents reported receiving wages. The children's wages averaged the equivalent of 1.23 USD per week in 2002, with younger children earning less than their older counterparts. In the cases of migrant children whose parents who were promised compensation, the parents reportedly received about 3.75 USD per year. The employment of children working for non-parental adults is usually based on a verbal agreement. Children are reportedly not allowed to leave their workplace without their employer's consent, rendering the employment a form of bonded labor. Only 24% of children who migrated to Addis Ababa reported visiting their parents, and this occurred mostly annually. The chief benefit children gain from working in the weaving industry is the acquisition of a valuable skill from which they can derive income. They may also obtain other intangible benefits such as self-reliance, increased responsibility and positive self-esteem.

-- Impact on Child Development

Based on ILO standards and the provisions of Ethiopia's constitution and laws, the work performed by child weavers constitutes child labor that is exploitative and hazardous in nature.

Education is the arena in which the negative effects of child labor are felt most acutely. Sixty-two percent of the child weavers do not attend school. According to one study, 40% of the children are illiterate and 30% are school drop-outs. The situation is particularly dire for children who migrated to Addis Ababa as they constitute 98% of illiterate children and 73% of school drop-outs. Among school-going children, nearly 26% report attending a government school half-day while nearly 12% report attending school in the evenings. The children's academic performance was described as "average." Children's living arrangements affected their school participation; children who lived with their parents were more likely to attend school either half day or in the evenings than those living with relatives or employers.

Another major factor affecting school attendance was the number of hours worked per day. Children who worked longer hours were more likely to have never enrolled in school, dropped out or be illiterate. A major reason adult weavers stated for not sending child workers to school was because their labor was needed to support the home-based enterprise.

-- Vulnerability of child laborers

Vulnerable children are lured to work in the weaving industry by promises of access to education or gainful employment. Once removed from one's family children are often given minimal food rations, such as two small loaves of bread, one in the morning and one in the evening. Children are forced to sleep on the same floor where they work and to wear the same clothes day and night. Children seldom have access to schooling and are often barred from leaving their work compounds. If they escape, such children are often forced to live on the streets.

-- Small scale Gold Mining

Small scale mining involves digging multiple holes across an undefined expanse of village land for the purpose of gold exploration. Both adult family members and children are active in these activities, commonly found in the Hararghe and Benishangul regions. Often entire families, including children, work in the same mine. On average, these children work six-day work weeks and 14 hour days, are responsible for digging their own holes, and are tasked (largely by their families) to carry 40 or more liters of water daily to facilitate their searches.

-- Child soldiers.

The minimum age for conscription and voluntary recruitment into the military is 18 years. Although individuals below the age of 18 are not permitted to enlist in the Ethiopian armed forces, this practice is difficult to enforce since an estimated 95% of Ethiopians have no birth certificates. Children as young as 14 years of age are reportedly allowed to join local militias (local government organized community

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policing entities). While recruitment of children into the armed forces was reported to have occurred during the war with Eritrea in 1999, no currently available data suggests that this continues to occur.

TYPES OF EXPLOITATION FOUND IN THE PRODUCTION OF GOODS

-- As cited in the agricultural sector and weaving industry, labor exploitation in the production of goods is demonstrable in the following ways: employer threats of physical harm (including rape) as a means of control, debt bondage, few or no meal breaks and/or meals with little nutritional value, work hours beyond the legal limits, repetitive work, employer threats to end workplace-provided housing and meals (common on industrial farms, and in traditional weaving). Employer intimidation, long hours, little income, and physical distance thwart many children from attending school and seeking needed health care.

-- Specific to the weaving industry (where more data exists) as many as two to five children, often trafficked from rural Ethiopia, may work in cramped looming rooms that double as living spaces. They receive little to no monetary compensation. Younger children ages 5

to 8 are usually involved in spinning cotton, and child weavers work an average of 78 hours per week. In the agricultural sector, children are sometimes trafficked (in-country), often with a friend or family member serving as a broker, to industrial farms. The children's contact with their families is often triangulated or cut off entirely by their employers. The lack of children laborers' capacity to reconnect with family contacts and resources, often leads to their perception and experience of being trapped or imprisoned in their workplaces.

NARRATIVE

-- While an industrial court system is supposed to exist in each of the nine regions, specialized courts are functional only in three, leaving most forced labor victims to utilize ordinary courts. Ethiopia's industrial courts tend to be procedurally weak--while the labor relations board hears disputes and provides case rulings, there is a one to three year average backlog of cases.

-- GoE officials highlighted efforts of the police stations in and around Addis Ababa, as coordinated with the (NGO) Forum on Street Children - Ethiopia. The two entities work collaboratively in ten Child Protection Units (CPUs) in Addis Ababa. Each CPU is staffed by two police officers and one social worker who are minimally trained in child labor rights.

-- The GoE asserts that it is coordinating closely across NGO stakeholder groups and ministries to assess and address gaps in labor policies; however evidence of these efforts is limited. Tensions about division of responsibility on forced child labor exist between MoLSA and MoWCA. An inter-ministerial committee responsible for coordinating child labor policies reportedly last met in June 2007. Within recent months, MoLSA has initiated a new effort to harmonize ministerial activities and develop a five-year (2010-2015) National Action Plan on child labor. MoLSA expects the action plan to be approved shortly.

-- While MoLSA is charged with the enforcement of labor laws, Q{-r. MoLSA's safety and health administration lacks the capacity to conduct systematic inspections. Research and programming on forced labor in the production of goods requires coordinated and systematic involvement of the private sector, NGOs, and the GoE.

-- As cited earlier, factors forcing children and adults to accept adverse and exploitative working conditions are complex and include poverty, the absence of education, population growth, and urbanization. The GoE's lack of capacity to address labor exploitation is further exacerbated by escalating living costs and a strained political operating environment.

-- The problem of child labor in Ethiopia is significant: nearly 50% of children work to supplement their family income, half of them at hazardous jobs. While Ethiopians may regard child labor as normal, many fail to distinguish between moderate and excessive, or exploitative, forms of work. Aid organizations have long urged local awareness campaigns and stronger government policies to protect children from abuse and neglect.

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INCIDENTS

-- In the agricultural sector and weaving industry, exploitative child labor in the production of goods was strongly alleged by NGO staffers interviewed. In these areas, anecdotal evidence points to incidents of rape, starvation, debt bondage, and severed communication between child laborers and their families. While denying that forced labor in the production of goods for export is a widespread issue in-country, GoE officials interviewed admitted to "problems" of exploitative child labor in the agricultural sector and weaving industry.

HOST GOVERNMENT, INDUSTRY, OR NGO EFFORTS SPECIFICALLY DESIGNED TO COMBAT FORCED LABOR OF ADULTS OR CHILDREN IN THE PRODUCTION OF GOODS

-- From 2005-2009, Ethiopia was one of four countries participating in the 4-year, USD 14.5 million Kenya, Uganda, Rwanda, and Ethiopia Together (KURET) project, funded by USDOL and implemented by World Vision in partnership with the International Rescue Committee (IRC) and the Academy for Educational Development. The KURET Project aimed to withdraw or prevent a total of 30,600 children from suffering from exploitive labor (including the production of goods) in HIV/AIDS-affected areas of these four countries through the provision of educational services. KURET worked on the worst form of child labor in three sites, Addis Ababa, Ghurage, and Wolkite. Its media awareness efforts include labor law workshops for agricultural employers and micro enterprise projects to increase rural family incomes by providing oxen, goats, labor saving technology to the parents of children at risk for labor trafficking. KURET was successful in working with the Ministry of Education (MoE) to include child labor issues in the classroom curriculum of primary, junior high school and teachers' technical training levels.

-- In partnership with KURET, IRC offered educational opportunities to children with no access to schooling. IRC created flexible school timetables based on village-specific seasonal calendars and daily work schedules. IRC constructed 22 Alternative Basic Education (ABE) centers, including schools in the Beninshangul-Gumuz region of western Ethiopia (a region known to engage children in small scale gold mining). In four years, the KURET Initiative enrolled 3,840 children in school in two regions.

-- The Confederation of Ethiopian Trade Unions (CETU) has focused one-third of their programming on child labor prevention. CETU's highlights include media awareness (radio and televisions public service announcements), and labor law workshops for employers in the following three regions: Mekelle, Bahr Dar and Addis Ababa. CETU is planning to incorporate child labor regulations into bargaining collective agreements with employers.

-- In 2002, the Multi-purpose Community Development Project (MCDP), a local NGO, conducted a non scientific sample survey on child weavers in six kebeles (neighborhoods) across two Addis Ababa sub cities. At the time, weavers took part in several dialogues on how to shift/improve working conditions while maintaining profitability. At the conclusion of the training modules, weavers, linking victims of internal trafficking (from the Southern Nations and Nationalities People's Region to the Northern sector of Addis Ababa) to MDCP resources. In 2005, MCDP extended its project to SNNPR to address what it identified as a problem of national importance. MCDP continues to work on improving weaving technologies, while training young leaders in children's rights, conflict prevention and resolution.

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-- Forum for Street Children in Ethiopia (FSCE), Mrs. Lamrot Fekre, Program Director;

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-- International Rescue Committee-Ethiopia, Mr. David Murphy, Country Director, Mr. Kassahun Assefa, Project Coordinator, DoL;

-- KURET, World Vision Ethiopia, (Kenya, Uganda, Rwanda, Ethiopia Together)-World Vision, Mr. Samuel Buticho, Senior Education Program Facilitator;

-- Ministry of Labor and Social Affairs (MoLSA)-Government of Ethiopia, Mr. Zerihun Gezahegn, Occupational Safety and Health Department Head - Child Labor;

-- Ministry of Women's and Children's Affairs (MoWCA) - Government of Ethiopia, Dr. Bulti Gutema, Head of Mothers' and Children Affairs Department Head;

-- Multi-purpose Community Development Project-Ethiopia, Ms. Mulu Haile, Director;

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YATES